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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Joerg Rheims, al.) Group:
Serial No.: 10/672,817)
Filed: September 26, 2003)
Title: METHOD FOR FIBER STOCK)
PREPARATION) Examiner:

PETITION FOR FILING DECLARATION AND POWER
OF ATTORNEY UNDER 37 C.F.R. §1.47(b)

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a petition by Voith Paper Patent GmbH, an entity to whom inventor Mr. Oliver Heise is under an obligation to assign the above captioned invention. Petitioner seeks to file the Declaration and Power of Attorney for the above-identified application on behalf of inventor, Oliver Heise, who refuses to sign the Declaration under 37 C.F.R. § 1.47. Enclosed herewith is a check for \$130.00 for the fee required under 37 C.F.R. §1.17(h).

The Pertinent facts are as follows:

1. Mr. Oliver Heise was an employee of Voith Paper of Appleton, Wisconsin, USA, at the time of the invention.
2. Voith Paper Patent GmbH is the holding company for the intellectual property of Voith Paper.
3. Oliver Heise was a co-developer of the invention disclosed in the above mentioned application.
4. Our office prepared and filed a continuation application claiming priority to PCT/EP02/01621, now identified as Application Serial No. 10/672,817, entitled "METHOD FOR FIBER STOCK PREPARATION" on September 26, 2003, naming as an inventor Oliver Heise.

5. Mr. Oliver Heise is under an obligation to assign the above captioned invention to Voith Paper Patent GmbH in accordance with the state laws of Wisconsin and the federal laws of Germany.

6. On September 4, 2003, our office forwarded to the in-house patent department at Voith Paper Patent GmbH a copy of the Declaration and Power of Attorney requesting execution of the Declaration and Power of Attorney. A true copy of the email correspondence attaching the declaration and assignment is enclosed as "Exhibit A".

7. On January 12, 2004, the in-house patent department at Voith Paper Patent GmbH forwarded to Mr. Oliver Heise a copy of the Declaration and Power of Attorney requesting execution of the Declaration and Power of Attorney. A true copy of the cover letter and enclosure are enclosed as "Exhibit B".

8. On February 19, 2004, the office of the undersigned also sent another copy of the declaration to Mr. Oliver Heise requesting execution of the same. A true copy of the cover letter and enclosure are enclosed as "Exhibit C".

9. The undersigned and a representative from the in-house patent department at Voith Paper Patent GmbH have also tried to contact Mr. Oliver Heise multiple times by telephone concerning this matter, but have not been able to successfully reach him.

10. Voith Paper Patent GmbH could lose its rights and/or suffer irreparable damage if inventor Oliver Heise continues to refuse to sign.

11. The last known address of Mr. Oliver Heise is Firelane 13, Menasha, Wisconsin 54652.

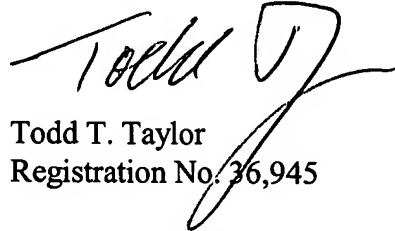
Petitioner hereby respectfully requests that this Petition be allowed and that Dr. Volker Linden on behalf of Voith Paper Patent GmbH be accepted as an agent for Mr. Oliver Heise regarding the application captioned above.

A check in the amount of \$130.00 as provided by 37 C.F.R. 1.47(b) is submitted with this Petition.

If any additional fee is required, please charge to Account No. 20-0095, Taylor & Aust, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



Todd T. Taylor
Registration No. 36,945

Attorney for Applicant

TTT6/ar

TAYLOR & AUST, P.C.
142 S. Main Street
P.O. Box 560
Avilla, IN 46710
Telephone: 260-897-3400
Facsimile: 260-897-9300

Enc.: Return postcard
Check No. 11597
Exhibits A-C

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Washington, DC 20231, on: April 14, 2004

Todd T. Taylor, Reg. No. 36,945

Name of Registered Representative



Signature

April 14, 2004

Date



Voith Paper

Voith Paper Holding GmbH & Co. KG, Postfach 2020, 89510 Heidenheim, Germany

Our Ref. RWS

Fax +49 7321 37 7003

Date 12.01.2004 SKK

Dear Mr. Heise:

Please sign the documents and send them to

Yours sincerely,

Voith Paper Holding GmbH & Co. KG

Silvia Karasek

Enclosures
Assignment
Declaration
Prepared letter to Taylor & Aust

Bankverbindung
Commerzbank AG, Heidenheim
(0532 532 400 16) Kto. 2 070 035
IBAN 0532 532 1 0016 0707 0035 00



Debbie Cyr

Exhibit
A

From: "Debbie Cyr" <dcyr@tayloraust.com>
To: "Ralf Wilhelmstaetter" <Ralf.Wilhelmstaetter@Voith.com>
Cc: "Todd Taylor" <ttaylor@tayloraust.com>
Sent: Thursday, September 04, 2003 3:51 PM
Attach: Voi0276.dec.doc; Voi0276.asm.doc
Subject: Your Ref.: PP 11232 WOUS; Our Ref.: VOI0276.US

Dear Mr. Wilhelmstaetter:

Attached hereto please find the Declaration and Assignment for the above-identified patent application. Please have the inventors sign and date the documents and return them to me for filing with the U.S. Patent and Trademark Office.

If you have any questions, please feel free to contact us.

Thank you,
Debbie Cyr
Taylor & Aust, P.C.

09/04/03



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR FIBER STOCK PREPARATION

the specification of which:

[] is attached hereto.

[] was filed on _____ as

Application Serial No. *

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority Claimed

101 15 421.6
(Number)

Germany
(Country)

March 29, 2001
(Month/Day/Year Filed)

[X] []
Yes No

(Number)

(Country)

(Month/Day/Year Filed)

[] []
Yes No

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

PCT/EP02/01621
(Application Serial No.)

February 15, 2002
(Filing Date)

Pending
(Status)(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

As the named inventor, I hereby appoint Todd T. Taylor, Reg. No. 36,945; Ronald K. Aust, Reg. No. 36,735; Raymond W. Campbell, Reg. No. 29,902; Max W. Garwood, Reg. No. 47,589; and Stephen D. Horchem, Reg. No. 53,035 of the firm of TAYLOR & AUST, P.C., as attorney(s)/patent agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

Todd T. Taylor
TAYLOR & AUST, P.C.
142 S. Main St.
P.O. Box 560
Avilla, IN 46710

Todd T. Taylor
Telephone: 260-897-3400
FAX: 260-897-9300

Full name of sole or first inventor: Joerg Rheims

Residence: Tönisvorst, FEDERAL REPUBLIC OF GERMANY

Citizenship: DE

Post Office Address: Willicher Str. 71, D-47918 Tönisvorst, FEDERAL REPUBLIC OF GERMANY

Inventor's Signature:

Date:

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (CONTINUED)

Full name of second joint inventor: Oliver Heise

Residence: Menasha, WI

Citizenship: US

Post Office Address: Firelane 13, Menasha, WI 54652

Inventor's Signature:

Date:

Full name of third joint inventor: Klaus Doelle

Residence: Kisslegg, Federal Republic of Germany

Citizenship: DE

Post Office Address: Eichenweg 29, 88353 Kisslegg, Federal Republic of Germany

Inventor's Signature:

Date:

Full name of fourth joint inventor: Ronald Sigl

Residence: Miesbach, FEDERAL REPUBLIC OF GERMANY

Citizenship: DE

Post Office Address: Badstr. 13F. D-83714 Miesbach, FEDERAL REPUBLIC OF GERMANY

Inventor's Signature:

Date:

Full name of fifth joint inventor: Werner Witek

Residence: Appleton, WI

Citizenship: US

Post Office Address: 1109 East North Street, Appleton, WI 54911

Inventor's Signature:

Date:

ASSIGNMENT

WHEREAS, we, Joerg Rheims, residing at Willicher Str. 71, D-47918 Tönisvorst, FEDERAL REPUBLIC OF GERMANY; Oliver Heise, residing at Firelane 13, Menasha, WI 54652; Klaus Doelle, residing at Eichenweg 29, 88353 Kisslegg, Federal Republic of Germany; Ronald Sigl, residing at Badstr. 13F. D-83714 Miesbach, FEDERAL REPUBLIC OF GERMANY and Werner Witek, residing at 1109 East North Street, Appleton, WI 54911, have invented certain improvements in:

METHOD FOR FIBER STOCK PREPARATION

described and claimed in an application for Letters Patent of the United States of America thereon, said application having been executed by me and being filed concurrently herewith;

WHEREAS, Voith Paper Patent GmbH, a corporation organized and existing under the laws of the country of the Federal Republic of Germany, having a place of business at Sankt Pöltener Strasse 43, D-89522 Heidenheim, Federal Republic of Germany, is to acquire the entire right, title and interest in and to said application for Letters Patent;

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00) to us in hand paid, and for other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we do hereby assign, sell, transfer and set over unto said Voith Paper Patent GmbH, its successors and assigns, the full, entire and exclusive right, title and interest, for the territory of the United States of America, in and to said invention, as described in the application identified above, and in and to said application and any divisions or continuations or continuations-in-part thereof or substitutes therefor which may be filed, and in and to any patents or reissues, renewals or extensions thereof which may be granted on said application; said application and Letters Patent to be held and enjoyed by said Voith Paper Patent GmbH, and its successors or assigns, to the full end of the term or terms for which said Letters Patent may be granted, as fully and entirely as the same would have been held by us had this assignment not been made.

We hereby authorize and request the Patent and Trademark Office officials in the United States of America to issue any and all of said Letters Patent, when granted to said Voith Paper Patent GmbH, as the assignee of our entire right, title and interest in and to the same, for the sole use and enjoyment of said Voith Paper Patent GmbH, its successors and assigns.

Further, we agree to execute all papers and to give such lawful testimony and to perform such other lawful acts as said Voith Paper Patent GmbH, its successors and assigns may require to enable it or them to procure Letters Patent on said invention or reissues or extensions thereof in the United States of America, and/or to hold, enforce or convey said Letters Patent, reissues or extensions.

Executed this _____ day of _____, 2004.

Joerg Rheims

Oliver Heise

Klaus Doelle

Ronald Sigl

Werner Witek

TODD T. TAYLOR
RONALD K. AUST
STEPHEN D. HORCHENT

*PATENT AGENT



TAYLOR & AUST, P.C.
PATENT & TRADEMARK ATTORNEYS

142 SOUTH MAIN STREET
P. O. BOX 560
AVILLA, IN 46710
TELEPHONE (260)897-3400
FAX (260)897-9300

RAYMOND W. CAMPBELL
MAX W. GARWOOD
**ROGER M. RICKERT

**OF COUNSEL

February 19, 2004

Exhibit
C

Mr. Oliver Heise
Firelane 13
Menasha, WI 54652

RE: U.S. Patent Application Serial No. 10/672,817
Title: METHOD FOR FIBER STOCK PREPARATION
Our Ref.: VOI0276.US
Your Ref: PP 11232 WOUS

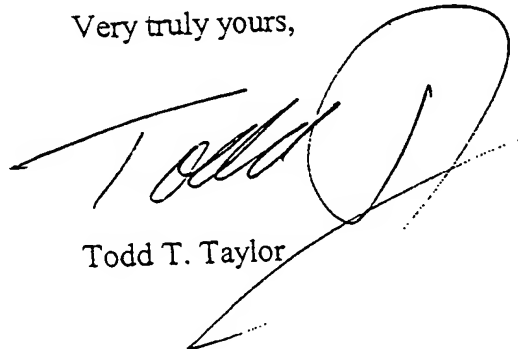
Dear Mr. Heise:

Enclosed herewith please find a copy of a Declaration and Assignment with regard to the above-identified case. Voith indicated that the signed documents would be coming directly from you and we have not received them. Please sign the attached documents in the appropriate spaces and return the same to me for filing with the U.S. Patent and Trademark Office no later than March 12, 2004.

If you have any questions, please do not hesitate to telephone me.

With best regards, I remain

Very truly yours,



Todd T. Taylor

TTT/ar
Encs.: Declaration
Assignment
cc: R. Wilhelmstatter (letter only)



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR FIBER STOCK PREPARATION

the specification of which:

[] is attached hereto.

[] was filed on _____ as

Application Serial No. _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority Claimed

101 15 421.6

(Number)

Germany

(Country)

March 29, 2001

(Month/Day/Year Filed)

[X]

[]

Yes

No

(Number)

(Country)

(Month/Day/Year Filed)

[]

[]

Yes

No

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

PCT/EP02/01621

(Application Serial No.)

February 15, 2002

(Filing Date)

Pending

(Status)(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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142 S. Main St.

P.O. Box 560

Avilla, IN 46710

Todd T. Taylor

Telephone: 260-897-3400

FAX: 260-897-9300

Full name of sole or first inventor: Joerg Rheims

Residence: Tönisvorst, FEDERAL REPUBLIC OF GERMANY

Citizenship: DE

Post Office Address: Willicher Str. 71, D-47918 Tönisvorst, FEDERAL REPUBLIC OF GERMANY

Inventor's Signature:

Date:

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (CONTINUED)

Full name of second joint inventor: Oliver Heise

Residence: Menasha, WI

Citizenship: US

Post Office Address: Firelane 13, Menasha, WI 54652

Inventor's Signature:

Date:

Full name of third joint inventor: Klaus Doelle

Residence: Kisslegg, Federal Republic of Germany

Citizenship: DE

Post Office Address: Eichenweg 29, 88353 Kisslegg, Federal Republic of Germany

Inventor's Signature:

Date:

Full name of fourth joint inventor: Ronald Sigl

Residence: Miesbach, FEDERAL REPUBLIC OF GERMANY

Citizenship: DE

Post Office Address: Badstr. 13F. D-83714 Miesbach, FEDERAL REPUBLIC OF GERMANY

Inventor's Signature:

Date:

Full name of fifth joint inventor: Werner Witek

Residence: Appleton, WI

Citizenship: US

Post Office Address: 1109 East North Street, Appleton, WI 54911

Inventor's Signature:

Date: